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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,100	11/19/2003	Gunther Koppelkamm	4100-327	7309

27799 7590 10/29/2004

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EXAMINER

CARRILLO, BIBI SHARIDAN

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AS

Office Action Summary	Application No.	Applicant(s)	
	10/717,100	KOPPELKAMM ET AL.	
	Examiner	Art Unit	
	Sharidan Carrillo	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11192003, 04082003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walther et al. (5732631) in view of Waizmann (5385095).

Walther et al. teach a method of cleaning a rubber blanket cylinder. The cleaning device

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includes a housing and being movable between a throw on and a throw off position (Abstract). In col. 3, lines 35-60, Walther et al. teach preventing the channel 6a in the cylinder from being contaminated. Walther et al. further teach using a control 25 to respond to sensing edges of the cylinder channel during rotation in order to prevent the cylinder channel from being soiled. In col. 4, Walther et al. the cleaning device comprising a brush or a doctor blade. In col. 4-5 bridging, Walther et al. teach the cleaning device in the throw off position.

In reference to claim 1, Walther et al. teach a cleaning device such as a brush which is pressed against the blanket cylinder as it rotates. Walther et al. is silent with respect to the rotations of the cylinder a plurality of revolutions. However, it would have been within the level of the skilled artisan to rotate the cylinder a plurality of revolutions as needed in order to allow the cleaning device to remove contaminants and debris therefrom.

Walther et al. further fail to teach lifting the cleaning element off the blanket cylinder each time the channel passes the cleaning element. However, in col. 4-5 bridging, Walther et al. teach lifting the cleaning device off the cylinder and further teaches the need to prevent the channel from being soiled.

Waizmann teaches cleaning a cylinder. In col. 5, lines 40-60, Waizmann teaches lifting the application bar 15 of the cleaning device in order to prevent the cleaning fluid from entering the channel 17. It would have been obvious to a person of ordinary skill in the art to have modified the method of Walther et al., to include lifting the cleaning element, as taught by Waizmann, for purposes of reducing the amount of contaminants present in the channel of the cylinder.

4. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walther et al. (5732631) in view of Ebina et al. (5797325).

Walther et al. teach a rubber blanket cylinder 6 (col. 3, lines 1-5); a clamping channel 6a, a cleaning element 15 (Fig. 4), a throwing device (abstract, col. 4, lines 50-65, col. 3, lines 15-20) and a control unit 25 (col. 3, lines 40-43).

Walther et al. fail to teach a transmitter that signals the position of the clamping channel. However, it would have been within the level of the skilled artisan to include a transmitter since in col. 3, lines 43-45, Walther et al teach that it is within the level of the skilled artisan to include sensing edges of the cylinder channel during rotation. Walther et al. further teaches a control unit which can be operated to sense the channel, but fails to teach an input of the control unit connected to the transmitter and the output connected to the throwing on device.

Ebina et al. teach cleaning a cylinder and further teaches an actuator which moves the cleaning unit in the cleaning and retraction mode. In col. 6, lines 40-45, Ebina teaches a control unit 2 which turns off the throw off solenoid valve and further teaches activating an actuator 22 to move the cleaning unit in a cleaning and retracting mode.

It would have been obvious to a person of ordinary skill in the art to have modified the apparatus of Walther et al. to include a control unit which is connected to the throwing device for purposes of providing the cleaning device in the cleaning and retracted position on the cylinder.

Further, it would have been within the level of the skilled artisan to have modified the apparatus of Walther et al., to include a control unit which communicates with a transmitter for sensing the position of the channel since Walther et al. teach that it is within level of the skilled artisan to use a controller in response to sensing edges of the cylinder channel.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Garcowski et al. teach a blanket cleaner. Hishinuma et al. teach cleaning a blanket cylinder. Harris teaches a blanket wash system.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharidan Carrillo whose telephone number is 571-272-1297. The examiner can normally be reached on Monday-Friday, 6:00a.m-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sharidan Carrillo
Primary Examiner
Art Unit 1746

bsc



SHARIDAN CARRILLO
PRIMARY EXAMINER